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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Date: October 1, 2004

RANDALL J. HUEBNER, DAVID G. JENSEN,  
and HERBERT RESPESS

Serial No. : 10/625,503

Group Art Unit 3732

Filed : July 22, 2003

For : BONE FUSION SYSTEM

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicants are submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicants respectfully request that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## **CONTENT OF DISCLOSURE**

This Information Disclosure Statement includes (1) 19 pages of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

### **FOREIGN-LANGUAGE REFERENCES**

A concise explanation of the relevance of each listed reference not in the English language follows:

French Patent Document No. 2405705 – This document appears to disclose a bone fixation device, as illustrated in the figures.

French Patent Document No. 2406429 – This document appears to disclose a bone fixation device, as illustrated in the figures.

Soviet Union Patent Document No. 862937 – This document appears to disclose a bone fixation device, as illustrated in the figures.

Soviet Union Patent Document No. 1049054 – This document appears to disclose a bone fixation device, as illustrated in the figures.

Soviet Union Patent Document No. 1223901 – This document appears to disclose a bone fixation device, as illustrated in the figures.

Soviet Union Patent Document No. 1225556 – This document appears to disclose a bone fixation device, as illustrated in the figures.

Soviet Union Patent Document No. 1683724 – This document appears to disclose a bone fixation device, as illustrated in the figures.

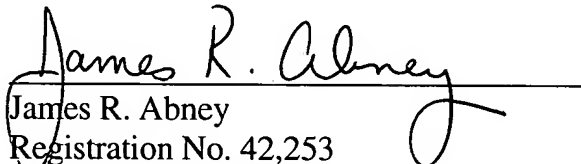
## **TIMING OF DISCLOSURE / FEE INFORMATION**

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. § 1.97(b), no fee or statement under 37 C.F.R. § 1.97(e) is required.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

Respectfully submitted,

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### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on October 1, 2004.

  
Renee Knight



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

23+

Application Number

10/625,503

Filing Date

July 22, 2003

First Named Inventor

Randall J. Huebner

Art Unit

3732

Examiner Name

Attorney Docket Number

ACM 349

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>1. Form PTO-1449 (19 pages)<br>2. Foreign Patent Documents (35)<br>3. Other Documents (40) |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

James R. Abney, Esq.

Date

October 1, 2004

Reg. No.

42,253

**CERTIFICATE OF TRANSMISSION/MAILING**

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Renee Knight

Date

October 1, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SHEET 1 OF 19

FORM PTO-1449

INFORMATION DISCLOSURE  
CITATION IN AN APPLICATIONDOCKET NUMBER  
ACM 349APPLICATION NUMBER  
10/625,503APPLICANT(S)  
Randall J. Huebner et al.FILING DATE  
July 22, 2003GROUP ART UNIT  
3732

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER | DATE     | NAME            | CLASS | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |
|---------------------|--------------------|----------|-----------------|-------|--------------|-------------------------|
|                     | 820,503            | 5/15/06  | Krengel et al.  |       |              |                         |
|                     | 869,697            | 10/29/07 | Eilhauer et al. |       |              |                         |
|                     | 1,105,105          | 7/28/14  | Sherman         |       |              |                         |
|                     | 1,889,239          | 11/29/32 | Crowley         |       |              |                         |
|                     | 2,406,832          | 9/3/46   | Hardinge        |       |              |                         |
|                     | 2,443,363          | 6/15/48  | Townsend et al. |       |              |                         |
|                     | 2,489,870          | 11/29/49 | Dzus            |       |              |                         |
|                     | 2,494,229          | 1/10/50  | Collison        |       |              |                         |
|                     | 2,526,959          | 10/24/50 | Lorenzo         |       |              |                         |
|                     | 2,580,821          | 1/1/52   | Nicola          |       |              |                         |
|                     | 2,583,896          | 1/29/52  | Siebrandt       |       |              |                         |

## FOREIGN PATENT DOCUMENTS

|  | DOCUMENT<br>NUMBER | DATE    | COUNTRY   | CLASS | SUB<br>CLASS | TRANSLATION<br>YES NO |  |
|--|--------------------|---------|-----------|-------|--------------|-----------------------|--|
|  | 89750/91           | 2/23/92 | Australia |       |              | XX                    |  |
|  | 0 053 999          | 6/16/82 | EPO       |       |              | XX                    |  |

## OTHER DOCUMENTS

|  |   |
|--|---|
|  | McBride S.M.O. Stainless Steel Bone Plates brochure, DePuy, Inc., 1943.       |
|  | Bone Plates brochure, Vitallium, March 1948.                                  |
|  | Dupont Distal Humeral Plates brochure, Howmedica Inc., 1990.                  |
|  | The Arnett-TMP* Titanium Miniplating System brochure, Techmedica, Inc., 1989. |

EXAMINER

DATE CONSIDERED

|   |  |   |                 |                                  |              |                         |
|---|--|---|-----------------|----------------------------------|--------------|-------------------------|
| FORM PTO-1449<br><br>INFORMATION DISCLOSURE<br>CITATION IN AN APPLICATION |  | DOCKET NUMBER<br>ACM 349                  |                 | APPLICATION NUMBER<br>10/625,503 |              |                         |
|   |  | APPLICANT(S)<br>Randall J. Huebner et al. |                 |                                  |              |                         |
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| U.S. PATENT DOCUMENTS   |  |   |                 |                                  |              |                         |
| EXAMINER<br>INITIAL   | DOCUMENT<br>NUMBER   | DATE                                      | NAME            | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |
|   | 2,737,835  | 3/13/56                                   | Herz            |                                  |              |                         |
|   | 3,025,853  | 3/20/62                                   | Mason           |                                  |              |                         |
|   | 3,072,423  | 1/8/63                                    | Charlton        |                                  |              |                         |
|   | 3,171,518  | 3/2/65                                    | Bergmann        |                                  |              |                         |
|   | 3,488,779  | 1/13/70                                   | Christensen     |                                  |              |                         |
|   | 3,489,143  | 1/13/70                                   | Halloran        |                                  |              |                         |
|   | 3,593,709  | 7/20/71                                   | Halloran        |                                  |              |                         |
|   | 3,604,414  | 9/14/71                                   | Borges          |                                  |              |                         |
|   | 3,716,050  | 2/13/73                                   | Johnston        |                                  |              |                         |
|   | 3,866,458  | 2/18/75                                   | Wagner          |                                  |              |                         |
|   | 3,900,025  | 8/19/75                                   | Barnes, Jr.     |                                  |              |                         |
| FOREIGN PATENT DOCUMENTS  |  |   |                 |                                  |              |                         |
|   | DOCUMENT<br>NUMBER   | DATE                                      | COUNTRY         | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |
|   | 0 410 309  | 1/30/91                                   | EPO             |                                  |              | XX                      |
|   | 0471418A1  | 2/19/92                                   | EPO             |                                  |              | XX                      |
| OTHER DOCUMENTS   |  |   |                 |                                  |              |                         |
|   | Techmedica Bioengineers Keep Tabs on Your Needs brochure, Techmedica, Inc., 1991.  |   |                 |                                  |              |                         |
|   | <i>A Comparison of Unicortical and Bicortical End Screw Attachment of Fracture Fixation Plates</i> ,<br>Beaupre et al., <i>Journal of Orthopaedic Trauma</i> , Vol. 6, No. 3, pp. 294-300, 1992. |   |                 |                                  |              |                         |
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| U.S. PATENT DOCUMENTS                                |  |   |                 |                                  |              |                         |  |
| EXAMINER<br>INITIAL                                  | DOCUMENT<br>NUMBER   | DATE                                      | NAME            | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |  |
|  | 3,901,064  | 8/26/75                                   | Jacobson        |                                  |              |                         |  |
|  | 3,939,497  | 2/24/76                                   | Heimke et al.   |                                  |              |                         |  |
|  | 3,965,720  | 6/29/76                                   | Goodwin et al.  |                                  |              |                         |  |
|  | 4,187,840  | 2/12/80                                   | Watanabe        |                                  |              |                         |  |
|  | 4,187,841  | 2/12/80                                   | Knutson         |                                  |              |                         |  |
|  | 4,201,215  | 5/6/80                                    | Crossett et al. |                                  |              |                         |  |
|  | 4,364,382  | 12/21/82                                  | Mennen          |                                  |              |                         |  |
|  | 4,388,921  | 6/21/83                                   | Sutter et al.   |                                  |              |                         |  |
|  | 4,408,601  | 10/11/83                                  | Wenk            |                                  |              |                         |  |
|  | 4,457,307  | 7/3/84                                    | Stillwell       |                                  |              |                         |  |
|  | 4,493,317  | 1/15/85                                   | Klaue           |                                  |              |                         |  |
| FOREIGN PATENT DOCUMENTS                             |  |   |                 |                                  |              |                         |  |
|  | DOCUMENT<br>NUMBER   | DATE                                      | COUNTRY         | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |  |
|  | 0362049B1  | 5/13/92                                   | EPO             |                                  |              | XX                      |  |
|  | 2367479  | 5/12/78                                   | France          |                                  |              | XX                      |  |
| OTHER DOCUMENTS                                      |  |   |                 |                                  |              |                         |  |
|  | Ace 4.5/5.0 mm Titanium Cannulated Screw and Reconstruction Plate System surgical technique brochure, Ace Medical Company, 1992.           |   |                 |                                  |              |                         |  |
|  | Ace 4.5/5.0 mm Titanium Cannulated Screw and Reconstruction Plate System simplified fracture fixation brochure, Ace Medical Company, 1992. |   |                 |                                  |              |                         |  |
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| U.S. PATENT DOCUMENTS                                |   |   |               |                                  |              |                         |    |
| EXAMINER<br>INITIAL                                  | DOCUMENT<br>NUMBER  | DATE                                      | NAME          | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |    |
|  | 4,506,681   | 3/26/85                                   | Mundell       |                                  |              |                         |    |
|  | 4,565,192   | 1/21/86                                   | Shapiro       |                                  |              |                         |    |
|  | 4,565,193   | 1/21/86                                   | Streli        |                                  |              |                         |    |
|  | 4,573,458   | 3/4/86                                    | Lower         |                                  |              |                         |    |
|  | 4,683,878   | 8/4/87                                    | Carter        |                                  |              |                         |    |
|  | 4,703,751   | 11/3/87                                   | Pohl          |                                  |              |                         |    |
|  | 4,718,413   | 1/12/88                                   | Johnson       |                                  |              |                         |    |
|  | 4,736,737   | 4/12/88                                   | Fargie et al. |                                  |              |                         |    |
|  | 4,743,261   | 5/10/88                                   | EpINETTE      |                                  |              |                         |    |
|  | 4,750,481   | 6/14/88                                   | Reese         |                                  |              |                         |    |
|  | 4,757,810   | 7/19/88                                   | Reese         |                                  |              |                         |    |
| FOREIGN PATENT DOCUMENTS                             |   |   |               |                                  |              |                         |    |
|  | DOCUMENT<br>NUMBER  | DATE                                      | COUNTRY       | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |    |
|  | 2405705   | 5/11/79                                   | France        |                                  |              |                         | XX |
|  | 2405706   | 5/11/79                                   | France        |                                  |              | XX                      |    |
| OTHER DOCUMENTS                                      |   |   |               |                                  |              |                         |    |
|  | Ace Titanium 3.5/4.0 mm Screw and Plate System with the Ace 3.5 mm Universal Ribbon CT/MRI compatible fixation brochure, Ace Medical Company, 1992.   |   |               |                                  |              |                         |    |
|  | <i>Treatment of Three- and Four-Part Fractures of the Proximal Humerus with a Modified Cloverleaf Plate</i> , Esser, <i>Journal of Orthopaedic Trauma</i> , Vol. 8, No. 1, pp. 15-22, 1994. |   |               |                                  |              |                         |    |
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| FORM PTO-1449  |   | DOCKET NUMBER<br>ACM 349                  |                   | APPLICATION NUMBER<br>10/625,503 |              |                         |    |
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| INFORMATION DISCLOSURE<br>CITATION IN AN APPLICATION |   | APPLICANT(S)<br>Randall J. Huebner et al. |                   |                                  |              |                         |    |
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| U.S. PATENT DOCUMENTS                                |   |   |                   |                                  |              |                         |    |
| EXAMINER<br>INITIAL                                  | DOCUMENT<br>NUMBER  | DATE                                      | NAME              | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |    |
|  | 4,759,350   | 7/26/88                                   | Dunn et al.       |                                  |              |                         |    |
|  | 4,760,843   | 8/2/88                                    | Fischer et al.    |                                  |              |                         |    |
|  | 4,823,780   | 4/25/89                                   | Odensten et al.   |                                  |              |                         |    |
|  | 4,892,093   | 1/9/90                                    | Zarnowski et al.  |                                  |              |                         |    |
|  | 4,893,619   | 1/16/90                                   | Dale et al.       |                                  |              |                         |    |
|  | 4,903,691   | 2/27/90                                   | Heinl             |                                  |              |                         |    |
|  | 4,926,847   | 5/22/90                                   | Luckman           |                                  |              |                         |    |
|  | 4,943,292   | 7/24/90                                   | Foux              |                                  |              |                         |    |
|  | 4,955,886   | 9/11/90                                   | Pawluk            |                                  |              |                         |    |
|  | 4,957,497   | 9/18/90                                   | Hoogland et al.   |                                  |              |                         |    |
|  | 4,963,153   | 10/16/90                                  | Noesberger et al. |                                  |              |                         |    |
| FOREIGN PATENT DOCUMENTS                             |   |   |                   |                                  |              |                         |    |
|  | DOCUMENT<br>NUMBER  | DATE                                      | COUNTRY           | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |    |
|  | 2406429   | 5/18/79                                   | France            |                                  |              |                         | XX |
|  | 2472373   | 7/3/81                                    | France            |                                  |              | XX                      |    |
| OTHER DOCUMENTS                                      |   |   |                   |                                  |              |                         |    |
|  | Ace Symmetry Titanium Upper Extremity Plates surgical technique brochure, Ace Medical Company, 1996.      |   |                   |                                  |              |                         |    |
|  | The Ace Symmetry Titanium Upper Extremity Plates new product release brochure, Ace Medical Company, 1996. |   |                   |                                  |              |                         |    |
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|  | 4,966,599   | 10/30/90                                  | Pollock           |                                  |              |                         |
|  | 4,973,332   | 11/27/90                                  | Kummer            |                                  |              |                         |
|  | 4,988,350   | 1/29/91                                   | Herzberg          |                                  |              |                         |
|  | 5,002,544   | 3/26/91                                   | Klaue et al.      |                                  |              |                         |
|  | 5,006,120   | 4/9/91                                    | Carter            |                                  |              |                         |
|  | 5,015,248   | 5/14/91                                   | Burstein et al.   |                                  |              |                         |
|  | 5,041,113   | 8/20/91                                   | Biedermann et al. |                                  |              |                         |
|  | 5,042,983   | 8/27/91                                   | Rayhack           |                                  |              |                         |
|  | 5,049,149   | 9/17/91                                   | Schmidt           |                                  |              |                         |
|  | 5,053,036   | 10/1/91                                   | Perren et al.     |                                  |              |                         |
|  | 5,085,660   | 2/4/92                                    | Lin               |                                  |              |                         |
| FOREIGN PATENT DOCUMENTS                             |   |   |                   |                                  |              |                         |
|  | DOCUMENT<br>NUMBER  | DATE                                      | COUNTRY           | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |
|  | 2674118   | 9/25/92                                   | France            |                                  |              | XX                      |
|  | 2515430   | 11/13/75                                  | Germany           |                                  |              | XX                      |
| OTHER DOCUMENTS                                      |   |   |                   |                                  |              |                         |
|  | Small Titanium Plates overview page, Synthes, p. 2a-33, March 1997.   |   |                   |                                  |              |                         |
|  | Congruent Distal Radius Plate System description, Acumed, Inc., March 4, 1998.  |   |                   |                                  |              |                         |
|  | <i>Salvage of Tibial Pilon Fractures Using Fusion of the Ankle with a 90° Cannulated Blade Plate: A Preliminary Report</i> , Morgan et al., <u>Foot &amp; Ankle International</u> , Vol. 20, No. 6, pp. 375-378, June 1999. |   |                   |                                  |              |                         |
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|  | 5,113,685   | 5/19/92                                   | Asher et al.     |                                  |              |                         |
|  | 5,133,718   | 7/28/92                                   | Mao              |                                  |              |                         |
|  | 5,139,497   | 8/18/92                                   | Tilghman et al.  |                                  |              |                         |
|  | 5,151,103   | 9/29/92                                   | Tepic et al.     |                                  |              |                         |
|  | 5,161,404   | 11/10/92                                  | Hayes            |                                  |              |                         |
|  | 5,176,685   | 1/5/93                                    | Rayhack          |                                  |              |                         |
|  | 5,190,544   | 3/2/93                                    | Chapman et al.   |                                  |              |                         |
|  | 5,190,545   | 3/2/93                                    | Corsi et al.     |                                  |              |                         |
|  | 5,197,966   | 3/30/93                                   | Sommerkamp       |                                  |              |                         |
|  | 5,201,737   | 4/13/93                                   | Leibinger et al. |                                  |              |                         |
|  | 5,269,784   | 12/14/93                                  | Mast             |                                  |              |                         |
| FOREIGN PATENT DOCUMENTS                             |   |   |                  |                                  |              |                         |
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|  | 4343117   | 6/22/95                                   | Germany          |                                  |              | XX                      |
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| FORM PTO-1449  |  | DOCKET NUMBER<br>ACM 349                  |                    | APPLICATION NUMBER<br>10/625,503 |              |                         |
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|  | 5,304,180  | 4/19/94                                   | Slocum             |                                  |              |                         |
|  | 5,314,490  | 5/24/94                                   | Wagner et al.      |                                  |              |                         |
|  | 5,364,398  | 11/15/94                                  | Chapman et al.     |                                  |              |                         |
|  | 5,364,399  | 11/15/94                                  | Lowery et al.      |                                  |              |                         |
|  | 5,380,327  | 1/10/95                                   | Eggers et al.      |                                  |              |                         |
|  | 5,413,577  | 5/9/95                                    | Pollock            |                                  |              |                         |
|  | 5,443,516  | 8/22/95                                   | Albrektsson et al. |                                  |              |                         |
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|  | 5,474,553  | 12/12/95                                  | Baumgart           |                                  |              |                         |
|  | 5,487,741  | 1/30/96                                   | Maruyama et al.    |                                  |              |                         |
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|  | 718097   | 2/28/80                                   | Soviet Union       |                                  |              | XX                      |
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| FORM PTO-1449  |  | DOCKET NUMBER<br>ACM 349                  |                  | APPLICATION NUMBER<br>10/625,503 |              |                         |
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|  | 5,522,902  | 6/4/96                                    | Yuan et al.      |                                  |              |                         |
|  | 5,527,311  | 6/18/96                                   | Proctor et al.   |                                  |              |                         |
|  | 5,534,027  | 7/9/96                                    | Hodorek          |                                  |              |                         |
|  | 5,545,228  | 8/13/96                                   | Kambin           |                                  |              |                         |
|  | 5,564,302  | 10/15/96                                  | Watrous          |                                  |              |                         |
|  | 5,578,036  | 11/26/96                                  | Stone et al.     |                                  |              |                         |
|  | 5,591,166  | 1/7/97                                    | Bernhardt et al. |                                  |              |                         |
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|  | 5,647,872  | 7/15/97                                   | Gilbert et al.   |                                  |              |                         |
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|  | 862937   | 9/15/81                                   | Soviet Union     |                                  |              | XX                      |
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|  | 5,665,088   | 9/9/97                                    | Gil et al.       |                                  |              |                         |
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|  | 5,707,373   | 1/13/98                                   | Sevrain et al.   |                                  |              |                         |
|  | 5,709,682   | 1/20/98                                   | Medoff           |                                  |              |                         |
|  | 5,709,686   | 1/20/98                                   | Talos et al.     |                                  |              |                         |
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|  | 5,730,743   | 3/24/98                                   | Kirsch et al.   |                                  |              |                         |
|  | 5,733,287   | 3/31/98                                   | Tepic et al.    |                                  |              |                         |
|  | 5,735,853   | 4/7/98                                    | Olerud          |                                  |              |                         |
|  | 5,741,258   | 4/21/98                                   | Klaue et al.    |                                  |              |                         |
|  | 5,741,259   | 4/21/98                                   | Chan            |                                  |              |                         |
|  | 5,749,872   | 5/12/98                                   | Kyle et al.     |                                  |              |                         |
|  | 5,749,873   | 5/12/98                                   | Fairley         |                                  |              |                         |
|  | 5,752,958   | 5/19/98                                   | Wellisz         |                                  |              |                         |
|  | 5,772,662   | 6/30/98                                   | Chapman et al.  |                                  |              |                         |
|  | 5,807,396   | 9/15/98                                   | Raveh           |                                  |              |                         |
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|  | DOCUMENT<br>NUMBER  | DATE                                      | COUNTRY         | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |
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|  | 5,810,824   | 9/22/98                                   | Chan             |                                  |              |                         |
|  | 5,853,413   | 12/29/98                                  | Carter et al.    |                                  |              |                         |
|  | 5,855,580   | 1/5/99                                    | Kreidler et al.  |                                  |              |                         |
|  | 5,871,548   | 2/16/99                                   | Sanders et al.   |                                  |              |                         |
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|  | 5,904,683   | 5/18/99                                   | Pohndorf et al.  |                                  |              |                         |
|  | 5,919,195   | 7/6/99                                    | Wilson et al.    |                                  |              |                         |
|  | 5,931,839   | 8/3/99                                    | Medoff           |                                  |              |                         |
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|  | <i>Salvage of Distal Tibia Metaphyseal Nonunions With the 90° Cannulated Blade Plate</i> , Chin et al., <i>Clinical Orthopaedics and Related Research</i> , No. 409, pp. 241-249, 2003. |   |                  |                                  |              |                         |
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|  | 5,954,722  | 9/22/99                                   | Bono           |                                  |              |                         |  |
|  | 5,964,763  | 10/12/99                                  | Incavo et al.  |                                  |              |                         |  |
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|  | 6,001,099  | 12/14/99                                  | Huebner        |                                  |              |                         |  |
|  | 6,004,323  | 12/21/99                                  | Park et al.    |                                  |              |                         |  |
|  | 6,069,040  | 8/1/00                                    | Esser          |                                  |              |                         |  |
|  | 6,077,266  | 6/20/00                                   | Medoff         |                                  |              |                         |  |
|  | 6,096,040  | 8/1/00                                    | Esser          |                                  |              |                         |  |
|  | 6,117,160  | 9/12/00                                   | Bonutti        |                                  |              |                         |  |
|  | 6,139,548  | 10/31/00                                  | Errico         |                                  |              |                         |  |
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|  | 6,258,092  | 7/10/01                                   | Dall            |                                  |              |                         |    |
|  | 6,261,291  | 7/17/01                                   | Talaber et al.  |                                  |              |                         |    |
|  | 6,273,889  | 8/14/01                                   | Richelsoph      |                                  |              |                         |    |
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|  | 1683724  | 10/15/91                                  | Soviet Union    |                                  |              |                         | XX |
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|  | 6,306,136          | 10/23/01                                  | Baccelli          |                                  |              |                         |  |
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|  | 6,322,562          | 11/27/01                                  | Wolter            |                                  |              |                         |  |
|  | 6,325,803          | 12/4/01                                   | Schumacher et al. |                                  |              |                         |  |
|  | 6,331,179          | 12/18/01                                  | Freid et al.      |                                  |              |                         |  |
|  | 6,336,927          | 1/8/02                                    | Rogozinski        |                                  |              |                         |  |
|  | 6,338,734          | 1/15/02                                   | Burke et al.      |                                  |              |                         |  |
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|  | 6,342,055          | 1/29/02                                   | Eisermann et al. |                                  |              |                         |  |
|  | 6,342,075          | 1/29/02                                   | MacArthur        |                                  |              |                         |  |
|  | 6,355,036          | 3/12/02                                   | Nakajima         |                                  |              |                         |  |
|  | 6,355,042          | 3/12/02                                   | Winquist         |                                  |              |                         |  |
|  | 6,364,881          | 4/2/02                                    | Apgar et al.     |                                  |              |                         |  |
|  | 6,364,883          | 4/2/02                                    | Santilli         |                                  |              |                         |  |
|  | 6,379,354          | 4/30/02                                   | Rogozinski       |                                  |              |                         |  |
|  | 6,402,756          | 6/11/02                                   | Ralph et al.     |                                  |              |                         |  |
|  | 6,413,259          | 7/2/02                                    | Lyons et al.     |                                  |              |                         |  |
|  | 6,428,542          | 8/6/02                                    | Michelson        |                                  |              |                         |  |
|  | 6,436,103          | 8/20/02                                   | Suddaby          |                                  |              |                         |  |
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|  | DOCUMENT<br>NUMBER | DATE                                      | COUNTRY          | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |  |
|  | 2245498            | 1/8/92                                    | United Kingdom   |                                  |              | XX                      |  |
|  | WO82/01645         | 5/27/82                                   | WIPO             |                                  |              | XX                      |  |
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| EXAMINER   |                    |   |                  | DATE CONSIDERED                  |              |                         |  |

| FORM PTO-1449  |                    | DOCKET NUMBER<br>ACM 349                  |                 | APPLICATION NUMBER<br>10/625,503 |              |                         |  |
|--|--------------------|---|-----------------|----------------------------------|--------------|-------------------------|--|
| INFORMATION DISCLOSURE<br>CITATION IN AN APPLICATION |                    | APPLICANT(S)<br>Randall J. Huebner et al. |                 |                                  |              |                         |  |
|  |                    | FILING DATE<br>July 22, 2003              |                 | GROUP ART UNIT<br>3732           |              |                         |  |
| U.S. PATENT DOCUMENTS                                |                    |   |                 |                                  |              |                         |  |
| EXAMINER<br>INITIAL                                  | DOCUMENT<br>NUMBER | DATE                                      | NAME            | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |  |
|  | 6,440,135          | 8/27/02                                   | Orbay et al.    |                                  |              |                         |  |
|  | 6,454,769          | 9/24/02                                   | Wagner et al.   |                                  |              |                         |  |
|  | 6,454,770          | 9/24/02                                   | Klaue           |                                  |              |                         |  |
|  | 6,458,133          | 10/1/02                                   | Lin             |                                  |              |                         |  |
|  | 6,514,274          | 2/4/03                                    | Boucher et al.  |                                  |              |                         |  |
|  | 6,520,965          | 2/18/03                                   | Chervitz et al. |                                  |              |                         |  |
|  | 6,533,789          | 3/18/03                                   | Hall, IV et al. |                                  |              |                         |  |
|  | 6,565,570          | 5/20/03                                   | Sterett et al.  |                                  |              |                         |  |
|  | 6,623,486          | 9/23/03                                   | Weaver et al.   |                                  |              |                         |  |
|  | 6,682,531          | 1/27/04                                   | Winquist et al. |                                  |              |                         |  |
|  | 6,682,533          | 1/27/04                                   | Dinsdale et al. |                                  |              |                         |  |
| FOREIGN PATENT DOCUMENTS                             |                    |   |                 |                                  |              |                         |  |
|  | DOCUMENT<br>NUMBER | DATE                                      | COUNTRY         | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |  |
|  | WO87/02572         | 5/7/87                                    | WIPO            |                                  |              | XX                      |  |
|  | WO88/03781         | 6/2/88                                    | WIPO            |                                  |              | XX                      |  |
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| EXAMINER   |                    |   |                 | DATE CONSIDERED                  |              |                         |  |

| FORM PTO-1449  |                    | DOCKET NUMBER<br>ACM 349                  |                  | APPLICATION NUMBER<br>10/625,503 |              |                         |  |
|--|--------------------|---|------------------|----------------------------------|--------------|-------------------------|--|
| INFORMATION DISCLOSURE<br>CITATION IN AN APPLICATION |                    | APPLICANT(S)<br>Randall J. Huebner et al. |                  |                                  |              |                         |  |
|  |                    | FILING DATE<br>July 22, 2003              |                  | GROUP ART UNIT<br>3732           |              |                         |  |
| U.S. PATENT DOCUMENTS                                |                    |   |                  |                                  |              |                         |  |
| EXAMINER<br>INITIAL                                  | DOCUMENT<br>NUMBER | DATE                                      | NAME             | CLASS                            | SUB<br>CLASS | FIL. DATE<br>IF APPROP. |  |
|  | 6,712,820          | 3/30/04                                   | Orbay            |                                  |              |                         |  |
|  | 6,736,819          | 5/18/04                                   | Tipirneni        |                                  |              |                         |  |
|  | 2001/0011172       | 8/2/01                                    | Orbay et al.     |                                  |              |                         |  |
|  | 2002/0032446       | 3/14/02                                   | Orbay            |                                  |              |                         |  |
|  | 2002/0055741       | 5/9/02                                    | Schlapfer et al. |                                  |              |                         |  |
|  | 2002/0143336       | 10/3/02                                   | Hearn            |                                  |              |                         |  |
|  | 2002/0147453       | 10/10/02                                  | Gambale          |                                  |              |                         |  |
|  | 2002/0156474       | 10/24/02                                  | Wack et al.      |                                  |              |                         |  |
|  | 2003/0055429       | 3/20/03                                   | Ip et al.        |                                  |              |                         |  |
|  | 2003/0105461       | 6/5/03                                    | Putnam           |                                  |              |                         |  |
|  | 2003/0153918       | 8/14/03                                   | Putnam et al.    |                                  |              |                         |  |
| FOREIGN PATENT DOCUMENTS                             |                    |   |                  |                                  |              |                         |  |
|  | DOCUMENT<br>NUMBER | DATE                                      | COUNTRY          | CLASS                            | SUB<br>CLASS | TRANSLATION<br>YES NO   |  |
|  | WO96/29948         | 10/3/96                                   | WIPO             |                                  |              | XX                      |  |
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| EXAMINER   |                    |   | DATE CONSIDERED  |                                  |              |                         |  |

